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JUN 1 2005

Annop Magness
P.O. Box 1997
Rosemead, CA 91770

In re Application of:
Annop Magness
Serial No. 09/942,855
Filed: August 29, 2001
For: MULTIUSE LIFTING AND ROLLING
PLATFORM

**DECISION ON PETITION
TO MAKE SPECIAL
(APPLICANT'S HEALTH)**

This is a decision on the petition filed February 7, 2005 under 37 CFR 1.102 (c) to make the above-identified application special under the procedure set forth in MPEP 708.02, Section III: Applicant's Health. There is no fee for this petition.

A grantable petition to make an application special under 37 C.F.R. 1.102(c), MPEP 708.02, Section III requires evidence that the state of health of the applicant is such that he might not be able to assist in the prosecution of the application if it were to run its normal course.

The petition includes a statement from applicant's physician, P. Basil Vasantachart, M.D., attesting to the fact that Annop Magness is a patient under his care. However, the certificate merely documents Annop Magness' past medical condition. The petitioner has not provided evidence establishing that applicant's current medical condition would result in the inability of the applicant to assist in prosecution of the application if it were to run its normal course.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above. Applicant should promptly submit a renewed petition to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.

For the above stated reasons, the petition is **DISMISSED**.

A handwritten signature in cursive script, reading "Randolph A. Reese", written over a horizontal line.

Randolph A. Reese
Special Programs Examiner
Technology Center 3600
(571) 272-6619

SNM/jwk: 5/31/05